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## PRESIDENT'S MESSAGE.

Fellow Citizens of the Senate,

and of the House of Representatives:

The brief space which has elapsed since the close of your last session, has been marked by no extraordinary political event. The quadrennial election of Chief Magistrate has passed off with less than the usual excitement. However individuals and parties may have been disappointed in the result, it is nevertheless a subject of national congratulation that the choice has been effected by the free suffrages of a free people, undisturbed by those influences which in other countries have too often affected the purity of popular elections.

Our grateful thanks are due to an All-Merciful Providence, not only for saving the peacefulness which in different forms has desolated some of our cities, but for crowning the labors of the husbandman with an abundant harvest, and the nation generally with the blessings of peace and prosperity.

Within a few weeks the public mind has been deeply affected by the death of Daniel Webster, filling at his decease the office of Secretary of State. His associates in the Executive government have sincerely sympathized with his family and the public generally on this mournful occasion. His commanding talents, his great political and professional eminence, his well-earned patriotism and his long and faithful services in the most important public trusts, have caused his death to be lamented throughout the country, and have earned for him a lasting place in our history.

In the course of the last summer, considerable anxiety was caused for a short time by an official intimation from the government of Great Britain that orders had been for the protection of the fisheries upon the coast of the British Provinces in North America, against the alleged encroachment of the fishing vessels of the United States and France. The shortness of this notice, and the season of the year, seemed to make it a matter of urgent importance. It was at first apprehended that an increased naval force had been ordered to the fishing grounds to carry into effect the British interpretation of those provisions in the convention of 1818, in reference to the true intent of which the two governments differ. It was soon discovered that such was not the design of Great Britain, and satisfactory explanations of the real objects of the measure have been given both here and in London.

The adjusted difference, however, between the two governments as to the interpretation of the first article of the convention of 1818 is still a matter of importance. American fishing vessels within nine or ten years have been excluded from waters to which they had free access for twenty-five years after the negotiation of the treaty. In 1845 this exclusion was relaxed so far as concerns the Bay of Fundy, but the just and liberal construction of the Home government, in compliance with what we think the true construction of the convention, to open all the other outer bays to our fishermen, was abandoned, in consequence of the opposition of the colonies. Notwithstanding this, the United States have since the Bay of Fundy was reopened to our fishermen in 1845, pursued the most liberal course toward the colonial fishing interests. By the revenue law of 1844, the duties on colonial fish entering our ports were very greatly reduced, and by the warehousing act it is allowed to be entered in bond without payment of duty. In this way colonial fish has acquired the monopoly of the export trade in our market, and is entering to some extent into the home consumption. These facts were among those which increased the sensibility of our fishing interest, at the movement in question.

These circumstances, and the incidents above alluded to, have led me to think the moment favorable for a reconsideration of the entire subject of the fisheries on the coast of the British Provinces, with a view to place them on a more liberal footing of reciprocal privilege. A willingness to meet us in some arrangement of this kind is understood to exist, on the part of Great Britain with a desire on her part to include in one comprehensive settlement, as well this subject as the commercial intercourse between the United States and the British provinces. I have thought that while our arrangements have been made on these subjects, it is expedient that they should be embraced in separate conventions. The fitness and expediency of the late Secretary preventing the commencement of the contemplated negotiations. Plans have been taken to collect the information required for the details of such an arrangement. The subject is attended with considerable difficulty. It is found practically to come to come to an agreement mutually acceptable to the two parties, conventions may be concluded in the course of the present winter. The control of Congress over all the provisions of such an arrangement affecting the revenue, will of course, be reserved.

The affairs of Cuba formed a prominent topic in my last annual message. They remain in an uneasy condition, and a feeling of alarm and irritation on the part of the Cuban authorities appears to exist. This feeling has interfered with the regular commercial intercourse between the United States and the island, and led to some acts of which we have a right to complain. But the Captain General of Cuba is clothed with no power to treat with foreign governments, nor is he in any degree and the control of the Spanish Minister at Washington. Any communication which he may hold with an agent of a foreign power is informal, and a matter of courtesy.

Anxious to put an end to the existing inconveniences, (which seemed to rest on a misconception,) I directed the newly appointed Minister to Mexico to Havana, on his way to Vera Cruz. He was respectfully received by the Captain General, who conferred with him freely on the recent occurrences, but no permanent arrangement was effected.

In the mean time the refusal of the Captain General to allow passengers and the mail to be landed in certain cases, for a reason which does not furnish, in the opinion of this government, even a good presumptive ground for such a prohibition, has been made the subject of a serious remonstrance at Madrid; and I have no reason to doubt that due respect will be paid by the Government of Her Catholic Majesty to the representations which our Minister has been instructed to make on the subject.

It is just to the Captain General to add that his conduct toward the steamers employed

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to carry the mails of the United States to Havana, has, with the exception above alluded to, been marked with kindness and liberality, and indicates no general purpose of interfering with the commercial correspondence and intercourse between the island and this country.

Early in the present year official notes were received from the Ministers of France and England, inviting the Government of the U. States to become a party with Great Britain and France to a tripartite Convention, in virtue of which the three powers should severally and collectively disclaim, now and for the future, all intention to obtain possession of the island of Cuba, and should bind themselves to discontinue all attempts to that effect on the part of any power or individual whatever. This invitation has been respectfully declined, for reasons which it would occupy too much space in this communication to state in detail, but which led me to think that the proposed measures would be of doubtful expediency, impolitic and unavailing. I have, however, in common with several of my predecessors, directed the Ministers of France and England to be assured that the U. States entertain no designs against Cuba; but that, on the contrary, I should regard its incorporation into the Union at the present time as fraught with serious peril.

Were this island comparatively destitute of inhabitants, or occupied by a kindred race, I should regard it, if voluntarily ceded by Spain, as a most desirable acquisition. But, under existing circumstances, I should look upon its incorporation into our Union as a very hazardous measure. It would bring into the confederacy a population of a different national stock, speaking a different language, and not likely to harmonize with the other members. It would probably affect in a prejudicial manner the industrial interests of the South; and it might revive those conflicts of opinion between the different sections of the country, which lately shook the Union to its centre, and which have been so happily compromised.

The rejection by the Mexican Congress of the Convention which had been concluded between that Republic and the United States, for the protection of a transit way across the Isthmus of Tehuantepec, and of the interests of those citizens of the U. States, who had become proprietors of the rights which Mexico had conferred on one of her own citizens in regard to that transit, has thrown a serious obstacle in the way of the attainment of a very desirable national object.

I am still willing to hope that the differences on the subject which exist, or may hereafter arise, between the governments, will be amicably adjusted. This subject, however, has already engaged the attention of the Senate of the U. States, and requires no further comment in this communication.

The settlement of the question respecting the port of San Juan de Nicaragua, and of the controversy between the republics of Costa Rica and Nicaragua in regard to their boundaries, was considered indispensable to the commencement of the ship canal between the two oceans, which was the subject of the Convention between the U. States and Great Britain of the 19th of April, 1850. Accordingly a proposition for the same purpose addressed to the governments in that quarter, and to the Mosquito Indians, was agreed to in April last by the Secretary of State and the Minister of Her Britannic Majesty. Besides the wish to aid in reconciling the differences of the two republics, I engaged in the negotiation from a desire to place the great work of a ship canal between the important port of San Juan de Nicaragua under the government of a civilized power. The proposition in question was assented to by Costa Rica and the Mosquito Indians. It has not proved equally acceptable to Nicaragua, but it is to be hoped that the further negotiations on the subject which are in train will be carried on in that spirit of conciliation and compromise which ought always to prevail on such occasions, and that will lead to a satisfactory result.

I have the satisfaction to inform you that the executive government of Venezuela has acknowledged some claims of citizens of the U. States which have for many years past been urged by our Charge d'Affaires at Caracas. It is hoped that the same sense of justice will animate the Congress of that Republic in providing the means for their payment.

The recent revolution in Buenos Ayres and the Civil war in Brazil having opened the prospect of an important sale of things in that quarter, the governments of G. Britain and France determined to negotiate with the chief of the new Confederacy for the free access of their commerce to the extensive countries watered by the tributaries of the La Plata; and they gave a friendly notice of this purpose to the U. States, that we might, if we thought proper, pursue the same course. In compliance with this invitation, our Minister at Rio Janeiro and our Charge d'Affaires at Buenos Ayres have been fully authorized to conclude treaties with the newly organized Confederation, or the States composing it. The delays which have taken place in the formation of the new government have as yet prevented the execution of these instructions; but there is every reason to hope that these vast countries will be eventually opened to our commerce.

A treaty of commerce has been concluded between the U. States and the Oriental Republic of Uruguay, which will be laid before the Senate. Should this Convention go into operation, it will open to the commercial enterprise of our citizens a country of great extent and unsurpassed in natural resources, but from which foreign nations have heretofore been almost wholly excluded.

The correspondence of the late Secretary of State with the Peruvian Charge d'Affaires relative to the Lobos Islands, was communicated to Congress towards the close of the last session. Since that time, on further investigation of the subject, the doubts which had been entertained of the title of Peru to those islands have been removed; and I have deemed it just that the temporary wrong which had been unintentionally done her, from want of information, should be repaired by an unreserved acknowledgment of her sovereignty.

I have the satisfaction to inform you that the course pursued by Peru has been creditable to the liberality of that government. Before it was known by her that her title would be acknowledged at Washington, her Minister of Foreign Affairs had authorized our Charge d'Affaires at Lima to announce to the American vessel which had gone to Lobos for guano, that the Peruvian Government was willing to treat them on its own account. This intention has

been carried into effect by the Peruvian Minister here, by an arrangement which is believed to be advantageous to the parties in interest.

Our settlements on the shores of the Pacific have already given a great extension, and in some respects a new direction, to our commerce in that ocean. A direct and rapidly increasing intercourse has sprung up with Eastern Asia. The waters of the Northern Pacific, even into the Arctic Sea, have of late years been frequented by our whalers. The application of steam to the general purposes of navigation is becoming daily more common, and makes it desirable to obtain fuel and other necessary supplies at convenient points on the route between Asia and our Pacific shores. Our unfortunate countrymen who from time to time suffer shipwreck on the coasts of the Eastern Seas are entitled to protection. Besides these specific objects, the general prosperity of our States on the Pacific requires that an attempt should be made to open the opposite regions of Asia to a mutually beneficial intercourse. It is obvious that this attempt could be made by no power so great as advantage as by the U. States, whose constitutional system excludes every idea of distant colonial dependencies. I have accordingly been led to order an appropriate naval force to Japan, under the command of a discreet and intelligent officer of the highest rank known to our service. He is instructed to endeavor to obtain from the government of that country some relaxation of the inhospitable and anti-social system which it has pursued for about two centuries.

He has been directed particularly to remonstrate in the strongest language against the cruel treatment to which our shipwrecked mariners have often been subjected, and to insist that they shall be treated with humanity. He is instructed however at the same time to give that government the amplest assurances that the objects of the U. States are such and such only as I have indicated, and that the expedition is friendly and peaceful. Notwithstanding the jealousy with which the governments of Eastern Asia regard all overtures from foreigners, I am not without hopes of a beneficial result of the expedition. Should it be crowned with success, the advantages will not be confined to the U. States, but, as in the case of China, will be equally enjoyed by all the maritime powers. I have much satisfaction in stating that in all the steps preparatory to this expedition the government of the U. States has been materially aided by the good offices of the King of the Netherlands, the only European power having any commercial relations with Japan.

In passing from this survey of our foreign relations, I invite the attention of Congress to the condition of that department of the government to which this branch of the public business is entrusted. Our intercourse with foreign powers has of late years greatly increased, but in consequence of our own growth and the introduction of many new States into the family of nations. In this way the Department of State has become overburdened. It has, by the recent establishment of the Department of the Interior, been relieved of some portion of the domestic business. If the residue of the business of that kind, such as the distribution of the Congressional documents, the keeping, publishing, and distribution of the laws of the U. States, the execution of the copyright law, the subject of reprieves and pardons, and some other subjects relating to interior administration, should be transferred from the Department of State, it would unquestionably be for the benefit of the public service. I would also suggest that the building appropriated to the State Department is not free from defects in its construction, and that the archives of the Government in charge of the Department, with the previous collections of the manuscript papers of Washington, Jefferson, Hamilton, Madison, and Monroe, are exposed to destruction by fire. A similar remark may be made of the buildings appropriated to the War and Navy Departments.

The condition of the Treasury is exhibited in the annual report from that Department. The cash receipts into the Treasury for the fiscal year ending the 30th of June last exclusive of trust funds, were forty-nine millions seven hundred and twenty-eight thousand three hundred and eighty-five dollars, and eighty-nine cents, (\$49,728,386.89) and the expenditures for the same period, likewise exclusive of trust funds, were forty-six millions, seven thousand eight hundred and ninety-five dollars and twenty cents, (\$46,007,896.20) of which nine millions four hundred and fifty-five thousand eight hundred and fifty-five dollars and eighty-three cents, (\$9,455,815.33) was an account of the principal and interest of the public debt, including the last installment of the indemnity to Mexico, under the treaty of Guadalupe Hidalgo, leaving a balance of \$11,632,136.47 in the Treasury on the first day of July last. Since this latter period, further purchases of the principal of the public debt have been made to the extent of \$2,158,547.49 and the surplus in the Treasury will continue to be applied to that object, whenever the stock can be procured within the limits, as to price, authorized by law.

The value of foreign merchandise imported during the last fiscal year was two hundred and seven millions two hundred and forty thousand one hundred and one dollars, (\$207,240,101) and the value of domestic productions exported was one hundred and forty-nine millions eight hundred and sixty-one thousand nine hundred and eleven dollars (\$149,861,911) besides seventeen millions two hundred and four thousand and twenty-six dollars, (\$17,204,026) of foreign merchandise exported; making the aggregate of the entire exports one hundred and sixty-seven millions six hundred and ninety-nine thousand three hundred and thirty-seven dollars, (\$167,665,937), exclusive of the above there was exported forty-two millions five hundred and seven thousand two hundred and eighty-five dollars (\$42,572,285) in specie; and imported from foreign ports five millions two hundred and sixty-two thousand six hundred and forty-three dollars.

In my first annual message to Congress I called your attention to what seemed to me serious defects in the present tariff, and recommended such modifications as in my judgment were best adapted to remedy its evils and promote the prosperity of the country. Nothing has since occurred to change my views on this important question. Without regarding the argument contained in my former message, in favor of discriminating protective duties, I deem it my duty to call your attention to one or two other considerations affecting this subject. The first is, the effect of large importations of foreign goods upon our currency. Most of the gold of California as fast

as it is coined, finds its way directly to Europe in payment of goods purchased. In the second place, as our manufacturing establishments are broken down by competition with foreigners, the capital invested in them is lost, thousands of honest and industrious citizens are thrown out of employment, and the farmer to an extent is deprived of a home market for the sale of his country produce. In the third place, the destruction of our manufactures leaves the foreigner without competition in our market, and he consequently raises the price of the article sent here for sale, as is now seen in the increased cost of iron imported from England. The prosperity and wealth of every nation must depend upon its productive industry. The farmer is stimulated to exertion by finding a ready market for his surplus products, and benefited by being able to exchange them without loss of time or expenses of transportation for the manufactures which his comfort or convenience requires.

This is always done to the best advantage when a portion of the community in which he lives is engaged in other pursuits. But most manufactures require an amount of capital and practical skill which cannot be commanded, unless they be protected for a time from ruinous competition from abroad. Hence the necessity of laying those duties upon imported goods which the Constitution authorizes for revenue, in such a manner as to protect and encourage the labor of our own citizens. Duties, however, should not be fixed at a rate so high as to exclude the foreign article, but should be so graduated as to enable the domestic manufacturer fairly to compete with the foreigner in our own markets, and by the competition to reduce the price of the manufactured article to the consumer to the lowest rate at which it can be produced. This policy would place the mechanic by the side of the farmer, create a mutual interchange of their respective commodities, and thus invigorate the industry of the whole country, and render us independent of foreign nations for the supplies required by the habits or necessities of the people.

Another question, wholly independent of protection presents itself, and that is, whether the duties levied should be upon the value of the article at the place of shipment, or where it is producible, a specific duty, graduated according to quantity, as ascertained by weight or measure. All our duties are at present ad valorem. A certain percentage is levied on the price of the goods at the port of shipment in a foreign country.

Most commercial nations have found it indispensable, for the purpose of preventing fraud and perjury, to make the duties specific whenever the articles are of such a uniform value in weight or measure as to justify such a duty. Legislation should never encourage dishonesty or crime. It is impossible that the revenue officers at the port, where the goods are entered and the duties paid should know with certainty what they cost in the foreign country. Yet the law requires that they should levy the duty according to such cost. They are therefore compelled to resort to very unsatisfactory evidence to ascertain what that cost was. They take the invoice of the importer, attested by his oath, as the best evidence of which the nature of the case admits. But every one must see that the invoice may be fabricated, and the oath by which it is supported false, by reason of which the dishonest importer pays a part only of the duties which are paid to the honest one, and thus indirectly receives from the treasury of the United States, a reward for his fraud and perjury.

The reports of the Secretary of the Treasury heretofore made on this subject, show conclusively that these frauds have been practiced to a great extent. The tendency is to destroy that high moral character for which our merchants have long been distinguished; to break down the honest importer by a dishonest competition; and finally transfer the business of importation to foreign and irresponsible agents, to the great detriment of our citizens. I therefore, again, most earnestly recommend the adoption of specific duties wherever it is practicable, for home valuation, to prevent these frauds.

I would also again call your attention to the fact that the present tariff, in some cases, imposes a higher duty upon the raw material imported, than upon the article manufactured from it, the consequence of which is that the duty operates the encouragement of our own citizens.

For full and detailed information in regard to the general condition of our Indian affairs, I respectfully refer you to the report of the Secretary of the Interior, and the accompanying documents.

The Senate not having thought proper to ratify the treaties which had been negotiated with the tribes of Indians in California and Oregon, our relations with them have been left in a very unsatisfactory condition.

In other parts of our Territory, particular districts of country have been set apart for the exclusive occupation of the Indians, and their right to the lands within those limits has been acknowledged and respected. But in California and Oregon there has been no recognition by the Government of the exclusive right of the Indians to any part of the country. They are, therefore, mere tenants at sufferance, and liable to be driven from place to place, at the pleasure of the whites.

The treaties which have been rejected, proposed to remedy this evil, by allowing to the different tribes districts of country suitable to their habits of life, and sufficient for their support. This provision, more than any other, it is believed, led to their rejection; and as no substitute for it has been adopted by Congress, it has been deemed advisable to attempt to enter into new treaties of a permanent character.

It is the desire of Congress to remove them from the country altogether, or assign to them particular districts more remote from the settlements of the whites, it will be proper to set apart by law the territory which they are to occupy, and to provide the means necessary for removing them to it. Justice alike to our own citizens and to the Indians requires the prompt action of Congress on this subject.

The amendments proposed by the Senate, to the treaties which were negotiated with the Sioux Indians of Minnesota, have been submitted to the tribes who were parties to them, and have received their assent. A large tract of valuable territory has thus been opened for settlement and cultivation and all dangerous relations with those powerful and warlike bands have been happily removed.

The removal of the remnant of the tribe of

Seminole Indians from Florida has long been a cherished object of the Government, and it is one to which my attention has been steadily directed. Admonished by past experience of the difficulty and cost of the attempt to remove them by military force, resort has been had to conciliatory measures. By the invitation of the Commissioner of Indian Affairs several of the principal chiefs recently visited Washington, and whilst here acknowledged in writing the obligation of their tribe to remove with the least possible delay. Late advice from the special agent of the Government represents that they adhere to their promise, and that a council of their people has been held to make their preliminary arrangements. A general emigration may therefore be expected as an early day.

The report from the General Land office shows increased activity in its operations. The survey of the northern boundary of Iowa has been completed with unexampled despatch. Within the last year 9,622,953 acres of public land have been surveyed, and 8,032,458 acres brought into market.

In the last fiscal year there were sold, 1,653,070 acres.

Located with bounty land warrants, 3,201,314 do

Located with other certificates, 116,682 do

Making a total of, 4,670,067

In addition there were—

Reported under swamp land grants, 6,210,188

For internal improvements, railroads, etc., 3,025,940 do

Making an aggregate of, 13,116,175 do

Being an increase in the amount of lands sold and located under land warrants, of 560,220 acres over the previous year.

The whole amount thus sold, located under land warrants, reported under swamp land grants and selected for internal improvements, exceeded that of the previous year by 3,318,378 acres; and the sales would, with a doubt have been much larger but for the extensive reservations for railroads in Missouri, Mississippi and Alabama.

For the quarter ending 30th September 1852, there were sold, 243,255 acres.

Located with bounty land warrants, 1,387,116 "

Located with other certificates, 15,649 "

Reported under swamp land grants, 2,485,233 "

Making an aggregate for the quarter of, 4,131,953 "

Much the larger portion of the labor of arranging and classifying the returns of the last census has been finished, and it will now devolve upon Congress to make the necessary provisions for the publication of the results in such a form as shall be deemed best. The apportionment of representation, on the basis of the new census, has been made by the Secretary of the Interior in conformity with the provisions of law relating to that subject, and the recent elections have been made in accordance with it. I commend to your favorable regard the suggestion contained in the report of the Secretary of the Interior that provision be made by law for the publication and distribution, periodically of an analytical digest of all the patents which have been, or may hereafter be, granted for useful inventions and discoveries, with such descriptions and illustrations as may be necessary to present an intelligent view of their nature and operation. The cost of such publication could easily be defrayed out of the Patent Fund and I am persuaded that it could be applied to no object more acceptable to its inventors and beneficial to the public at large.

An appropriation of \$100,000 having been made at the last session for the purpose of a suitable site, and for the erection of a building and fitting up of an Asylum for the insane of the District of Columbia, and of the Army and Navy of the United States, the proper measures have been adopted to carry this beneficent purpose into effect. By the latest advices from the Mexican Boundary Commission, it appears that the survey of the river Gila, from its confluence with the Colorado to its supposed intersection with the western line of New Mexico, has been completed. The survey of the Rio Grande has also been finished from the point agreed on by the Commissioners as "the point where it strikes the southern boundary of New Mexico" to a point one hundred and thirty-five miles below El Paso, which is about two thirds of the distance along the course of the river to its mouth.

The appropriation which was made at the last session of Congress for the continuation of the survey is subject to the following provision:—"Provided, That no part of this appropriation shall be used or expended until it shall be made satisfactorily to appear to the President of the United States that the southern boundary of New Mexico is not established by the commissioner and surveyor of the United States farther north of the town called 'Paso' than the same is laid down in Disturnell's map which is added to the treaty."

My attention was drawn to this subject by a report from the Department of the Interior, which reviewed all the facts of the case, and submitted to my decision the question whether, under existing circumstances, any part of the appropriation could be lawfully used and expended for the further prosecution of the work. After a careful consideration of the subject, I came to the conclusion that it could not, and so informed the head of the Department. Orders were immediately issued by him to the commissioner and surveyor to make no further requisitions on the Department, as they could not be paid; and to discontinue all operations on the southern line of New Mexico. But as the Department had no exact information as to the amount of provisions and money which remained unexpended in the hands of the commissioner and surveyor, it was left discretionary with them to continue the survey down the Rio Grande as far as the means at their disposal would enable them, or at once to disband the commission. A special messenger has since arrived from the officer in charge of the survey on the river, with information that the funds subject to his control were exhausted, and that the officers and others employed in the service were to be dismissed at the means of prosecuting the work and of returning to their homes.

The object of the provision was doubtless to arrest the survey of the southern and western lines of New Mexico, in regard to which different opinions have been expressed; for it is hardly to be supposed that there could be any objection to that part of the line which runs along the channel of the Rio Grande. But the terms of the law are so broad as to forbid the use of any money for the prosecution of the work, or even for the payment of the officers and agents of the arrangement, which are justly due to them. I earnestly invite your prompt attention to this subject and recommend a modification of the terms of the provision so as to enable the Department to use as much of the appropriation as will be necessary to discharge the existing obligations of the Government, and to complete the survey of the Rio Grande to the mouth.

## The Law of Newspapers.

Subscribers, who do not give their names to the contrary, are considered as desiring to continue their subscriptions.

2. If subscribers order the discontinuance of their papers, the publisher may continue to send them until all arrearages are paid.

3. If subscribers neglect to return to the publisher papers from the office immediately on demand, they are held responsible until they have returned their bills, and ordered their paper discontinued.

4. If subscribers remove to other places without notifying the publisher, and the paper is sent to a former address, they are held responsible.

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It will also be proper to make further provision by law for the fulfillment of our treaty with Mexico for running and marking the residue of the boundary line between the two countries.

Permit me to invite your particular attention to the interests of the district of Columbia, which are confided by the commission to great peculiar care.

Among the measures which seem to me of the greatest importance to its prosperity are the introduction of a copious supply of water into the city of Washington, and the construction of suitable bridges across the Potomac to replace those which were destroyed by high waters in the early part of the present year.

At the last session of Congress an appropriation was made to defray the cost of the surveys necessary for determining the best means of affording an unobstructed supply of good and wholesome water. Some progress has been made in the survey, and if completed the result will be laid before you.

Further appropriations will also be necessary for grading and paving the streets and avenues, enclosing and embellishing the public grounds within the city of Washington.

I commend all three objects, together with the charitable institutions of the District, to your favorable regard.

Every effort has been made to protect our frontier, and that of the adjoining Mexican States, from the incursions of the Indians. Of about 11,000 men of which the army is composed, nearly 8,000 are employed in the defense of the newly acquired territory, (including Texas), and of emigrants proceeding thereto. I am gratified to say that these efforts have been usually successful. With the exception of some partial outbreaks in California and Oregon, and occasional depredations on a portion of the Rio Grande, owing to it is believed to the disturbed state of that border region, the incursions of the Indians have been effectually restrained.

Experience has shown, however, that whenever the two races are brought into contact, collisions will inevitably occur. To prevent these collisions, the United States have generally set apart portions of their territory for the exclusive occupation of the Indian tribes. A difficulty occurs, however, in the application of this policy to Texas. By the terms of the compact by which that State was admitted to the Union, she retained the ownership of all the vacant lands within her limits. The government of that State, it is understood, has assigned no portion of her territory to the Indians, but so far as her settlements advance lays it off into counties; and proceeds to survey and sell it. This policy manifestly tends, not only to alarm and irritate the Indians, but to compel them to resort to plunder for subsistence. It also deprives the government of that influence and control over them without which no durable peace can exist between them and the whites. I trust, therefore, that a due regard for her own interests, apart from considerations of humanity and justice, will induce that State to assign a small portion of her vast domain for the provisional occupancy of the small remnants of tribes within her borders, subject of course to her ownership and eventual jurisdiction. If she should fail to do this, the fulfillment of our treaty stipulations with Mexico, and our duty to the Indians themselves, will it is feared, become a subject of serious embarrassment to the government. It is hoped, however, that a timely and just provision by Texas may avert this evil.

No appropriations for fortifications were made at the two last sessions of Congress. The cause of this omission is probably to be found in a growing belief that the system of fortifications adopted in 1816, and heretofore acted on, requires revision.

The subject certainly deserves full and careful investigation, and should not be delayed longer than can be avoided. In the mean time there are certain works which have been commenced—some of them nearly completed—designed to protect our principal seaports, from Boston to New Orleans, and a few other important points.

In regard to the necessity of these works, it is believed that little difference of opinion exists among military men. I therefore recommend that the appropriations necessary to prosecute them be made.

I invite your attention to the remarks on this subject, and on others connected with this Department, contained in the accompanying report of the Secretary of War.

Measures have been taken to carry into effect the law of the last session making provision for the improvement of certain rivers and harbors, and it is believed the arrangements made for that purpose will combine efficiency with economy. Owing chiefly to the advanced season, when the act was passed, little has yet been done in regard to many of the works, beyond making the necessary preparations. With respect to a few of the improvements, the sums already appropriated will suffice to complete them, but most of them will require additional appropriations. I trust that these additional appropriations will be made, and that this wise and beneficent policy, so auspiciously resumed, will be continued. Great care should be taken, however, to commence no work which is not of sufficient importance to the commerce of the country, to be viewed as national in its character. But works which have been commenced should not be discontinued until completed, as otherwise the sums expended will, in most cases, be lost.

The report from the Navy Department will inform you of the prosperous condition of the branch of the public service committed to its charge. It presents to your consideration many topics and suggestions of which I ask your approval. It exhibits an unusual degree of activity in the operations of the department during the past year. The preparation for the Japan expedition, to which I have already alluded, the arrangements made for the exploration and survey of the China seas, the Northern Pacific, and Bering's Strait; the incipient measures

(Concluded on fourth page.)